



Office for Democratic Institutions and Human Rights

# SLOVAK REPUBLIC

## PRESIDENTIAL ELECTION

23 March and 6 April 2024

ODIHR Election Expert Team  
Final Report



Warsaw  
22 November 2024

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**SLOVAK REPUBLIC  
PRESIDENTIAL ELECTION  
23 March and 6 April 2024**

**ODIHR Election Expert Team Report<sup>1</sup>**

**I. EXECUTIVE SUMMARY**

Following an invitation from the authorities of the Slovak Republic and in accordance with its mandate, the OSCE Office for Democratic Institutions and Human Rights (ODIHR) deployed an Election Expert Team (EET) for the 2024 presidential election. The ODIHR EET focused its assessment on the conduct of the campaign, including on social networks, campaign finance regulation and oversight, and the work of the media. The ODIHR EET assessed compliance of these aspects of the electoral process with OSCE commitments, other international obligations and standards for democratic elections, as well as national legislation.

The election was competitive and pluralistic, conducted with respect for fundamental freedoms and offering voters a choice of distinct political alternatives. However, the blurring of the line between the duties of public officials and campaigning and cases of prohibited third-party campaigning lessened the equality of conditions for all candidates. Despite campaign finance transparency rules in place, remaining gaps and insufficient oversight and enforcement leave space for non-transparent practices and limited accountability for evasion. Media covered the campaign extensively through various formats, while the overall media environment has been increasingly affected by the animosity towards critical media, harassment of journalists, and attempts of political influence on editorial policies.

The campaign reflected the polarization and underlying pro- and anti-government divisions, revolving mostly around the course the president would take in foreign policy and ensuring the balance of powers. The war in Ukraine was instrumentalized, especially before the second round, through messaging presenting one of the main contenders, Ivan Korčok, as a warmonger. Candidates' campaign programmes contained mostly generic mentions of measures targeting women, persons with disabilities, and minorities. Positively, in contrast to the preceding parliamentary elections, the campaign remained overall courteous, and candidates largely avoided the use of aggressive, inflammatory, or intolerant rhetoric, including towards various vulnerable societal groups. Throughout the campaign, the winning candidate, Peter Pellegrini, endorsed by the governing coalition parties, relied on the combined role and numerous appearances as the Speaker of Parliament, profiting from the visibility and the boosted image of an effective statesperson.

Campaign finance regulations provide an overall adequate disclosure and accountability framework, including the requirement for candidates to use transparent bank accounts for all campaign transactions. However, the effectiveness of these provisions was undermined by non-transparent bulk payments to PR agencies, contributions from political parties not revealing the actual donors, unaccounted-for in-kind support, and prohibited third-party spending. Despite several allegations and complaints about campaign finance irregularities, no corrective action was taken during the campaign by the Ministry of Interior (MoI) as the oversight body. Detracting from transparency, the MoI is also not required to publish any reports on its monitoring and enforcement activities concerning candidates' post-election campaign reports. Its broad responsibility, set by the campaign

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<sup>1</sup> The English version of this report is the only official document. An unofficial Slovak translation is available.

finance oversight rules, is contrary to good electoral practice, underscoring the importance of vesting this duty with an independent body.

Freedom of expression is respected overall, but at odds with international obligations, defamation remains a criminal offence. The media landscape is pluralistic, yet the concentration of major outlets raises concerns about their editorial independence. The absence of a transparent mechanism for the distribution of state advertising further exacerbates the vulnerability of the media market. Concerns about the independence of the public service media have been raised due to its insufficient funding and attempts at political control through a newly adopted law following the elections. Furthermore, frequent attacks on media and intimidation of journalists, often by key political figures, pose significant risks to media pluralism. Manipulative content and false information circulated on certain online media known for spreading disinformation and on social networks but only to a limited extent originated from candidate-affiliated profiles.

In line with ODIHR's methodology, the EET did not undertake a comprehensive observation of election-day procedures. In a limited number of polling stations visited, the voting process was orderly and administered confidently and impartially by knowledgeable commission members. Many polling premises visited were not barrier-free for persons with reduced mobility. Election results were released swiftly and transparently, with a polling station breakdown.

This report offers recommendations to support efforts to further align elections in the Slovak Republic with OSCE commitments and other international obligations and standards for democratic elections. Recommendations focus on the need to better ensure the separation between public functions and campaigning, improve regulations on spending limits, third parties, and reporting requirements, provide a timely remedy against irregularities, decriminalize defamation, guarantee transparency in the distribution of state advertising, and to ensure the independence and free environment for the work of the media and journalists. ODIHR stands ready to assist the authorities in further improving the electoral process and addressing the recommendations in this and previous reports.

## **II. INTRODUCTION AND ACKNOWLEDGEMENTS**

Following an invitation from the authorities of the Slovak Republic and based on the findings and conclusions of the Needs Assessment Mission (NAM), the OSCE Office for Democratic Institutions and Human Rights (ODIHR) deployed an Election Expert Team (EET) to observe the 2024 presidential election. The ODIHR EET was based in Bratislava between 15 March and 8 April and visited the municipalities of Modra, Plavecký Štvrtok, Senec, and Smolenice. The team consisted of two experts, both women, drawn from two OSCE participating States.

The ODIHR EET assessed the conduct of the campaign, including on social networks, campaign finance regulation and oversight, and the work of the media. Consequently, this report is limited in scope and does not offer a broader assessment of the electoral process. Specific areas under review were assessed for their compliance with OSCE commitments and other international obligations and standards for democratic elections, as well as with national legislation. In line with the ODIHR's methodology, the EET did not undertake a systematic election-day observation but visited a limited number of polling stations during both rounds. This final report should be read in conjunction with the January 2024 ODIHR NAM report and previous ODIHR reports, which provide additional details on the electoral process.<sup>2</sup>

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<sup>2</sup> See [previous ODIHR election reports on the Slovak Republic](#).

The ODIHR EET wishes to thank the Ministry of Foreign and European Affairs, the Ministry of Interior (MoI), the State Commission for Elections and the Control of Political Parties Funding (SEC), other state and municipal institutions, political parties, media, academia, and the representatives of the civil society for sharing their views.

### III. BACKGROUND

Slovakia is a parliamentary republic. The president serves as the head of state with mostly ceremonial powers but retains influence in appointing the prime minister and government members, judges of Constitutional and Supreme courts, the Prosecutor General and various other state officials. The president also holds limited veto power over legislation, represents the country internationally and serves as commander-in-chief of the armed forces. In case of a vote of no confidence in the government, some executive powers of the government are subject to the president's approval.

Following the 30 September 2023 early parliamentary elections, the coalition government was formed by Direction – Social Democracy (Smer-SD; 49 mandates), Voice – Social Democracy (Hlas-SD; 27), and the Slovak National Party (SNS; 10) with Robert Fico as the Prime Minister.<sup>3</sup> Shortly after the elections, the coalition parties initiated a range of reforms criticized by the opposition, several civil society organizations (CSOs), and some independent institutions as encroaching on judicial independence, media freedom, and undermining the rule of law, including by resorting to expedited legislative procedures without justification.<sup>4</sup> Various initiated reforms sparked nationwide anti-government protests, which continued well into the election campaign.

A number of ODIHR EET interlocutors expressed serious concerns over the reform proposals affecting the work of civil society. These included cuts in funding for human rights-related projects and the proposal to abolish the option for taxpayers to donate two percent of their taxes to a nonprofit organization of their choice. In response, CSOs initiated a petition against the proposed measures and drew public attention to the impact of cuts in funding.<sup>5</sup> During the election campaign, the SNS proposed further amendments envisaging special reporting obligations and labelling of organizations that receive foreign funding. These proposals, along with the increasingly negative rhetoric about CSOs, pose significant risks to their ability to operate in full freedom and with adequate funding.<sup>6</sup>

Women are underrepresented in political life, with only 33 women of the 150 members of the Parliament (MPs) and 3 out of 16 cabinet ministers. The incumbent president, Zuzana Čaputová,

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<sup>3</sup> The remaining seats in the 150-member parliament are held by Progressive Slovakia (PS; 32), Slovensko (former OĽaNO; 16), Christian Democratic Movement (KDH; 12), and Freedom and Solidarity (SaS; 11).

<sup>4</sup> The proposed reforms to the Criminal and Criminal Procedure Codes, the Act on the Public Prosecutor's Office, and the Act on the Protection of Whistleblowers, the dissolution of the Special Prosecutor's Office, as well as the unjustified use of fast-track legal procedures drew criticism also from the [European Public Prosecutor](#) and the [European Parliament](#). The latter also expressed concerns regarding the proposed CSO-related changes. According to the [National Centre for Human Rights](#), in 2023, amendments to 15 laws were submitted to the parliament to be considered in an expedited procedure following last parliamentary elections.

<sup>5</sup> See further information on the [petition](#). See also a related [report](#) by the European Center for Not-for-Profit Law.

<sup>6</sup> The 2018 United Nations (UN) Human Rights Council [Resolution 38/12 on Civil Society Space: Engagement with International and Regional Organizations](#) calls on states to ensure that CSO funding provisions do not "hinder the work or endanger the safety of civil society actors, and underlines the importance of the ability to solicit, receive and utilize resources for their work." The 2018 Council of Europe (CoE) Committee of Ministers [Recommendation \(2018\)11 on the Need to Strengthen the Protection and Promotion of Civil Society Space in Europe](#) emphasizes the importance of CSO "access to resources to support the stable funding." The CoE Parliamentary Assembly's [Resolution 2226\(2018\) on New Restrictions on NGO Activities](#) encourages CSO access to domestic and foreign funding without discrimination or impediments.

elected for her first term in 2019, did not seek re-election, citing personal reasons. The frequent sexist, misogynistic, and increasingly hostile rhetoric in public discourse and political debate and verbal attacks against women in prominent positions have a dissuasive effect on the motivation of women to engage in public and political life.<sup>7</sup>

*To enhance women's participation in public life, authorities should address gender stereotypes through comprehensive legal, institutional, and educational measures. Political parties and other stakeholders should identify and curb gender-based discriminatory rhetoric and actions that lead to the negative portrayal of women and affect their equal participation.*

The president is directly elected for a five-year term and may serve up to two consecutive terms. In line with the Constitution, the Speaker of Parliament called the presidential election on 8 January 2024. Since no candidate received an absolute majority of the valid votes in the first round held on 23 March, a run-off between the top two candidates took place on 6 April.

#### IV. LEGAL AND ELECTORAL FRAMEWORK

The conduct of presidential elections is primarily regulated by the 1992 Constitution, the 2014 Elections Act, and the 2014 Act on Campaigning. Several changes were introduced to these acts in recent years in parts applicable to all elections, including permitting the publication of opinion polls up to two days before elections, requiring mandatory electronic transfer of results from polling stations, and mandating the publication of result protocols by municipalities.<sup>8</sup> The most significant changes of relevance to presidential elections were introduced in 2019, removing the possibility for third parties to contribute to campaigns and prohibiting parties from making donations to presidential candidates from state funding (see *Campaign Finance*). Further changes to electoral laws discussed before the 2023 parliamentary elections, including providing a possibility for voting from abroad in presidential elections, were not adopted.

The legal framework provides an adequate basis for the conduct of democratic elections. However, a number of previous ODIHR recommendations remain unaddressed. These include defining procedures and expedited timelines for election dispute resolution, both regarding the campaign and election results, enhancing the possibilities for independent access to elections by persons with disabilities, decriminalization of defamation, and strengthening the campaign finance framework, including the capacity of the oversight body.

The election was administered by three levels of election commissions comprising the SEC, 49 District Election Commissions, and 5,938 Precinct Election Commissions (PECs), with support from the MoI and the Statistics Office (SO). SEC is a permanent and independent body vested with overall responsibility for the administration of elections and the establishment of election results.<sup>9</sup> The MoI hosts the SEC, provides methodological support, conducts voter education, and oversees technical preparations for elections. The SO is responsible for vote tabulation and the publication of election

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<sup>7</sup> The 2023 UN Convention for the Elimination of All Forms of Discrimination against Women Committee's [Concluding observations on the seventh periodic report of Slovakia](#) reiterated the prior recommendation to take measures to achieve equal representation of men and women in elected positions and in public and political life.

<sup>8</sup> Amendments introducing an electronic register of candidates and candidate lists for all election types were passed shortly after the presidential election and were in force for the June 2024 European Parliament elections.

<sup>9</sup> Parties nominate ten members based on parliamentary representation, with an equal split between the government and the opposition. The remaining four members are nominated by the Constitutional Court, the Supreme Court, the General Prosecutor, and the Supreme Audit Office. Three [members](#) of the SEC appointed in January 2024 are women. Gender disaggregated data on lower-level commissions is not collected.

results.<sup>10</sup> ODIHR has previously noted stakeholder confidence in the professionalism of the election administration while providing recommendations, among others, to ensure a clear delineation of competencies between the MoI and the SEC.

## V. CANDIDATE REGISTRATION

Eligible voters of at least 40 years of age may stand as candidates. Persons who lost legal capacity through a court decision, serving a prison sentence, and those with an unexpunged conviction for an intentional crime, regardless of its gravity, are ineligible to stand. ODIHR has previously recommended that these restrictions should be removed, as they are contrary to international commitments and standards.<sup>11</sup>

Candidate nominations can be supported by the signatures of either 15 MPs or 15,000 voters.<sup>12</sup> In a procedure different from other types of elections, candidacy applications are submitted for review and approval by the Speaker of Parliament.<sup>13</sup> Some ODIHR EET interlocutors noted the absence of procedural guarantees against the conflict of interest when the Speaker of Parliament is running as a candidate, as in this election.<sup>14</sup> Also, beyond the general requirements of the law, there are no detailed guidelines for checking candidate applications and support signatures. The candidacy of Róbert Švec, which was initially rejected based on insufficient valid signatures, was reinstated on appeal to the Supreme Administrative Court, which ruled that the invalidation of some of the signatures was not based on concrete criteria or evidence of irregularities.<sup>15</sup>

*To harmonize the legal framework and to ensure impartiality, the State Election Commission should be entrusted with the registration of presidential candidates. The law should prescribe procedures for the review of submitted applications and the approval of candidacies.*

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<sup>10</sup> The head of the SO was replaced in February 2024 following amendments to the Competence Act, which transferred the responsibility for the appointment of the SO leadership from the president to the government.

<sup>11</sup> Paragraph 24 of the 1990 [OSCE Copenhagen Document](#) provides that restrictions on rights and freedoms must be proportionate to the aim of the law. Paragraph 48 of the [2022 General Comment No. 1](#) to Article 12 of the Convention on the Rights of Persons with Disabilities (CRPD) states that “a person’s decision-making ability cannot be a justification for any exclusion of persons with disabilities from exercising [...] the right to vote [and] the right to stand for election”. Paragraph 15 of the 1996 UN Human Rights Committee (HRC) [General Comment No. 25](#) to Article 25 of the International Covenant on Civil and Political Rights (ICCPR) states that “Persons who are otherwise eligible to stand for election should not be excluded by unreasonable or discriminatory requirements such as education, residence or descent, or by reason of political affiliation”.

<sup>12</sup> Three of the candidates were supported by the MPs, while others collected voters' signatures.

<sup>13</sup> The SEC, in its previous composition, has recommended that the responsibility for the registration of presidential candidates should be transferred to it. The proposal was submitted to the MoI in December 2023 and passed to parliamentary parties in March 2024, but was not formally considered before the election.

<sup>14</sup> In practice, the review of candidacy documents is done by a technical parliamentary committee. Some of the candidacy decisions in this election were signed by Deputy Speakers of Parliament. This practice was challenged before the SEC and the Supreme Administrative Court. The latter has ruled that the delegation of this task to the Deputy Speakers of Parliament was not contrary to constitutional rules and consistent with the objective of efficient performance of public duties by the Speaker.

<sup>15</sup> Out of a total of 15,209 voters' signatures submitted, the parliamentary committee verifying the signatures rejected 183 on the grounds of incomplete or illegible name, surname, date of birth, and permanent address or missing signatures. Another 1,101 signatures were invalidated as not trustworthy and not meeting the requirements of a handwritten signature. Overturning candidacy rejection, the Court [ruled](#) that in the absence of clear invalidation criteria applied or evidence of irregularities, the determination of the authenticity or falsity of signatures belongs to graphologists and not to an advisory commission of the parliament or even to a court.



Eleven candidates submitted candidacy applications and were registered, all of them men.<sup>16</sup> Two candidates withdrew before the first round. Their names remained on printed ballots and voters were notified of withdrawals through notices in polling stations and the SEC website. Nevertheless, 1.6 per cent of all votes were cast for the withdrawn candidates, rendering those votes invalid.

*The deadline for the withdrawal of candidates should be reviewed to allow sufficient time for reflecting the changes on printed ballots. Voter information and communication about the withdrawals should be improved to support voters' ability to cast valid and fully informed votes.*

## VI. ELECTION CAMPAIGN

The campaign, which officially started with the announcement of the election, picked up in prominence only a few weeks before the first round, in the lead-up to the first debates, especially between the two frontrunners, Ivan Korčok and Peter Pellegrini. While mostly focused on the role and powers of the president, the campaign was seen as an extension of the preceding parliamentary elections. Mr. Pellegrini was endorsed by the governing coalition parties and campaigned on the topics of peace, unity, a socially just state, and the protection of Slovakia's interests in European institutions. He also attacked his opponent for the failures of the previous government in which he was a cabinet member and presented him as a warmonger who would drag Slovakia into a war. Mr. Korčok was supported by several opposition parties and campaigned on ensuring the balance of powers of institutions, promoting a strong pro-EU and pro-NATO stance, and a focus on long-term social and economic issues while retorting that it is the government, not the president, that decides about the country's involvement in a war.

Mr. Pellegrini continued to perform his official duties throughout the campaign.<sup>17</sup> This included attending numerous events formally hosted by the government, municipalities and other entities, media appearances, and regional travels. In most cases, such activities were framed as official duties, with no direct mentions of candidacy or appeals to vote for him. However, several of these appearances included electoral endorsements by other speakers and, in some cases, the presence of campaign materials.<sup>18</sup> Such activities contributed to the promotion of Mr. Pellegrini as a candidate, presenting him as an effective statesperson, which blurred the line between his official position and a candidate.<sup>19</sup> Further, some of Mr. Pellegrini's sponsored social media posts mentioned his participation as the Speaker while being paid for from his campaign account.<sup>20</sup> Some ODIHR EET interlocutors also flagged the announcements during the campaign of unplanned salary bonuses to some public sector employees by ministries headed by the Hlas-SD party-nominated ministers as potential election-related misuse of public resources.<sup>21</sup>

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<sup>16</sup> Andrej Danko, Patrik Dubovský, Krisztián Forró, Štefan Harabin, Ivan Korčok, Marian Kotleba, Ján Kubiš, Igor Matovič, Milan Náhlik, Peter Pellegrini, and Róbert Švec.

<sup>17</sup> The position of the Speaker of Parliament is by law not incompatible with the candidacy for president.

<sup>18</sup> For instance, based on the [TV JOJ report](#), Mr. Pellegrini's campaign materials were distributed during the Union of Pensioners event in Žilina while it was stressed that he attended as the Speaker of the parliament. The Union of Pensioners hosted a similar event in Bardejov and formally [endorsed](#) Mr. Pellegrini's candidacy.

<sup>19</sup> See paragraph 4.2 of the ODIHR and the Venice Commission [Joint Guidelines for Preventing and Responding to the Misuse of Administrative Resources during Electoral Processes](#) which requires the law to “provide for a clear separation between the exercise of politically sensitive public positions, in particular senior management positions, and candidacy.”

<sup>20</sup> This was, for instance, the case in Mr. Pellegrini's Instagram [posts](#) about the Žilina Union of Pensioners event.

<sup>21</sup> During the campaign, Ministers of Social Affairs, of Interior, and of Defense announced one-off bonuses to pensioners, soldiers, police, firefighters and, in case of the latter, ministry employees. Paragraph 1.3 of the ODIHR and Venice Commission [Joint Guidelines for Preventing and Responding to the Misuse of Administrative Resources During Electoral Processes](#) recommends that “to prevent the misuse of administrative resources [...]



*The law should provide for a clear separation between official functions and campaigning to prevent candidates and public officials from using the advantage of office for electoral purposes. As previously recommended, provisions to ban the use of public resources for campaign purposes should be considered. This could include a prohibition on initiating social welfare programmes through public funds during the official campaign periods.*

In the pre-election period, several prominent cases of prohibited third-party campaigning by persons and enterprises not formally affiliated with candidates' campaigns were reported and discussed widely in the public domain (see *Campaign Finance*). This included the production and dissemination of magazines, paid social media posts and videos, and billboards, as well as the establishment and paid promotion of a fake campaign website, all mostly promoting Mr. Pellegrini and/or discrediting Mr. Korčok. In several instances, this involved paid online campaigning against Mr. Korčok by government officials representing Hlas-SD.<sup>22</sup> The ODIHR EET was informed of several complaints related to the perceived violations of campaigning rules that were lodged with the SEC, MoI, and the General Prosecutor's Office by the election contestants and civil society organizations, some of which were reviewed and forwarded to responsible institutions, but remained unresolved during the campaign. A complaint claiming prohibited third-party campaigning by the Minister of the Interior through paid social media ads was dismissed by the Bratislava district office on 28 August 2024, arguing that these instances of campaigning were not illegal. The complainant, a CSO, published articles claiming, among other things, that the process was unduly prolonged and that a copy of the decision and reasoning was unavailable in a reasonably short time.<sup>23</sup>

*Campaign-related violations should be promptly addressed, including through timely remedial action and the imposition of proportionate and dissuasive sanctions.*

Candidates' campaign programmes presented measures targeting women, minorities, and persons with disabilities, but often only in broad terms.<sup>24</sup> None of the candidates' websites contained accessibility functionalities, and sign language interpretation was provided only during Mr. Korčok's campaign events.<sup>25</sup> Positively, women were prominently present among participants of rallies, as speakers at events, and in campaign visuals. Hungarian minority voters were targeted through bilingual campaign materials, addresses during rallies and debates, and visits to minority-populated

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during electoral competitions, the legal framework should state that no major announcements linked to or aimed at creating a favourable perception towards a given party or candidate should occur during campaigns.”

<sup>22</sup> This included series of paid promotional and anti-campaign posts by the Ministers of Interior and of Investments and State Secretaries at the Ministries of Labor and of Economy on Facebook, Instagram, and YouTube with a total estimated outreach to 1.3 million viewers.

<sup>23</sup> See articles published by the CSO MEMO98 on [14 June](#) and [19 September](#). On [11 October 2024](#), a group of CSOs filed a complaint to the General Prosecutor to review the legality of the actions of the Bratislava District Office.

<sup>24</sup> The OSCE participating States have committed to ensuring equal participation in political and public life of all under-represented groups. See, for instance, paragraph 40 of the 1991 [Document of the Moscow Meeting of the Conference on the Human Dimension of the CSCE](#), paragraph 88 of the 2003 [OSCE Action Plan on Improving the Situation of Roma and Sinti within the OSCE Area](#). See also the 2012 OSCE High Commissioner on National Minorities (HCNM), Ljubljana [Guidelines on Integration of Diverse Societies](#), 7 November 2012, where it is noted that the “[d]iversity is a feature of all contemporary societies and of the groups that comprise them. The legislative and policy framework should allow for the recognition that individual identities may be multiple, multilayered, contextual and dynamic”.

<sup>25</sup> Article 38 of the UN Committee on the Rights of Persons with Disabilities’ [General Comment on Article 9 \(Accessibility\) of the CRPD](#) states that “it is also important that political meetings and materials used and produced by political parties or individual candidates participating in public elections are accessible”. The CoE Committee of Ministers’ (CM) Recommendation [CM/Rec\(2011\)14](#) on the participation of persons with disabilities in political and public life states that member States should require political parties “to ensure that persons with disabilities have access to information on political debates, campaigns and events”.

areas, especially ahead of the second round. Outreach to Roma voters was limited, and their general awareness of voters' rights, election procedures and access to easily understandable information was insufficient. Positively, verbal attacks and insulting or stigmatizing remarks targeting various minorities and vulnerable groups were largely absent. However, some ODIHR EET interlocutors noted that this might have been due to the nature of the presidential contest and the different focus of the top contenders and their campaigns.

*Relevant authorities should develop, in co-operation with Roma organizations, long-term civic education and election awareness programmes to encourage meaningful and informed electoral participation by Roma voters.*

Fundamental freedoms were respected during the campaign, with ample opportunities for contestants to reach out to voters. Some political parties used the concurrent EP election campaign to design billboards with messages perceived as tackling both elections (see *Campaign Finance*).<sup>26</sup> Billboards remained one of the most prominent campaign methods. At the same time, campaigning through direct contact and over social media was regarded by the election contestants as the most impactful.

While all contestants used social networks to campaign, five candidates altogether generated most of the posts and engagement among the profiles monitored by the ODIHR EET.<sup>27</sup> Facebook remains the most popular and the most visited social platform, while YouTube boasts the highest number of users in Slovakia. A significant portion of the content was specially tailored for social networks, with a wide use of professionally edited videos. The war in Ukraine, foreign policy issues, patriotism, the importance of peace, and the role of the president dominated the topics, often blended with generic campaigning. Before the second round, the intensity of Mr. Pellegrini's communication saw a clear increase, with more critical rhetoric against Mr. Korčok. On Facebook, where the accounts of Mr. Pellegrini and Mr. Korčok were the most active, generating over 80 per cent of engagement among the profiles followed, messaging was mostly neutrally toned. The campaign on Instagram, which was clearly dominated by Mr. Korčok, followed by Mr. Pellegrini and Mr. Forró, was more emotive, with both more positive and negative messaging present.<sup>28</sup> Isolated instances of manipulative content were noted on YouTube, the platform which was used during the campaign most actively by Mr. Harabin and Mr. Pellegrini.

Campaigning and the release of opinion polls are permitted until 48 hours before election day. Campaign silence applies to traditional media and campaign events but does not apply to earlier-placed posters and billboards, general appeals to vote, and organic, unpaid posts on social networks. Some ODIHR EET interlocutors raised questions regarding the utility and effectiveness of the campaign silence provisions, given the extensive campaigning on social networks through organic content and foreign media broadcasts. According to fact-checkers, the circulation of false and misleading information also increased during the campaign silence period.<sup>29</sup> Several allegations of campaign silence infringements were investigated by the SEC.<sup>30</sup> The SEC provided clarifications in response to some complaints regarding the types of conduct that do not amount to violations, rejected

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<sup>26</sup> Dual purpose billboards by Hlas-SD, PS, and Slovensko were brought to the attention of the ODIHR EET.

<sup>27</sup> Ivan Korčok, Peter Pellegrini, Štefan Harabin, Krisztián Forró, and Igor Matovič. The ODIHR EET did not conduct a systematic monitoring of social networks but followed the profiles of candidates in both rounds on Facebook, Instagram, and YouTube between 13 March and 6 April 2024.

<sup>28</sup> Mr. Korčok came to dominate the Instagram campaign also through posts by his supporters, while, according to some [media reports](#), Mr. Pellegrini's campaign was supported by several prominent influencers.

<sup>29</sup> Reported in an [interview](#) with the fact-checking organization Demagog.

<sup>30</sup> For instance, [paid anti-campaigning](#) against Mr. Korčok by the deputy chairperson of the *Aliancia* party during the campaign silence period on Facebook and Instagram was brought to the ODIHR EET's attention.

some of them as unfounded, and forwarded others to responsible institutions for further investigation.<sup>31</sup>

## VII. CAMPAIGN FINANCE

Campaign finance is regulated by the 2014 Act on Campaigning, last amended in 2022, and the 2005 Act on Political Parties and Political Movements, last amended in 2023. These provide an overall adequate regulatory framework, although a few gaps and insufficient oversight and enforcement leave space for sidestepping the rules, non-transparent practices, and limited accountability for evasion.

### A. SOURCES OF FUNDING

Candidates can finance their campaigns from their own contributions and financial and in-kind donations from citizens, legal entities, and political parties. Donations from the state, foreign, and anonymous sources are forbidden, and no public funding is envisaged. The law prohibits parties from supporting the presidential candidates using the state funding they receive based on their results in parliamentary elections. This was criticized by some parties, especially those that do not collect donations or membership fees.<sup>32</sup>

The possibility for candidates to take loans is not addressed by the law. According to the SEC, this option is, in principle, open to all electoral contestants, and such funds can be used as their own contributions. The candidates' own contributions were overall moderate.<sup>33</sup> While none of the candidates appeared to have taken loans to finance their campaign, the lack of regulation governing loans and their repayment may potentially allow for hidden donor influence, including from foreign sources.<sup>34</sup>

*To further enhance transparency and accountability, the law should comprehensively regulate the use of loans by presidential candidates.*

Small and medium-sized donations constituted an important part of the campaign funds of the majority of candidates.<sup>35</sup> The ODIHR EET observed that the contributions from unidentifiable donors were returned, as required by law. Mr. Pellegrini chose to block the donation function on his account and funded his campaign exclusively from two large contributions from party Hlas-SD. Transfers from party accounts do not reveal actual donors until the publication of annual party financial reports. As the parties' annual accounts for 2024 are due for submission to the SEC only in April 2025, this results in reduced transparency and obscuring the origins of money during and for a long period after the presidential election.<sup>36</sup>

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<sup>31</sup> Based on [minutes](#) of SEC sessions held after the election.

<sup>32</sup> For instance, *Aliancia* and *Slovensko* parties that supported candidates Krisztián Forró and Igor Matovič, respectively.

<sup>33</sup> Ján Kubiš made the largest own contribution of EUR 135,000, followed by Krisztián Forró - EUR 71,000.

<sup>34</sup> Paragraph 210 of the [2020 ODIHR and VC Joint Guidelines on Political Party Regulation](#) stipulates the importance of having rules on transparency of loans, credits and debts, to “avoid the circumvention of limits on private donations and the ensuing exercise of undue influence”.

<sup>35</sup> For instance, Ivan Korčok and Štefan Harabin were supported by 3,300 and 700 unique donors, respectively.

<sup>36</sup> Hlas-SD party informed the ODIHR EET that it had stopped disclosing party donors' information due to reported donor harassment. During the campaign, [DennikN](#) and [SME](#) dailies published reports investigating what they saw as patterns of suspicious donations to the Hlas-SD party.

By law, contributions to campaign funds can only be made until 48 hours before election day. The MoI's guidance material states that pay-ins beyond this deadline are possible when the remaining funds are insufficient to settle outstanding campaign bills and only from candidates' own accounts.<sup>37</sup> Throughout the campaign, Mr. Pellegrini's transparent bank account featured only one EUR 250,000 donation from party Hlas-SD, with the second same-size contribution being credited only on 10 April, after the election and six days after the deadline set by law. Following reports by civil society organizations and the media drawing attention to the issue, Mr. Pellegrini's team has acknowledged the misstep, stating readiness to pay a fine. As of September 2024, no formal action was taken by the MoI.

## **B. CAMPAIGN EXPENDITURE**

Presidential candidates can spend EUR 500,000 on their campaigns, including costs incurred from 180 days before the election was called and the potential second round for the two qualified candidates. The spending limit, introduced as a fixed amount ten years ago, was seen by many stakeholders as low, which could lead to attempts of circumvention by some candidates.<sup>38</sup>

*In line with good practice, the spending limits could be based on a form of indexation or regularly reviewed to account for inflation.*

With third-party spending prohibited since 2019, based on transparent accounts, candidates spent considerably less on their campaigns than in the last presidential election.<sup>39</sup> The ban on third-party financing is both overly limiting and ineffective, in practice not stopping but pushing third-party activities outside of regulation.<sup>40</sup> As also noted in previous ODIHR reports, the complete prohibition on third-party financing is not in line with the case law of the European Court of Human Rights (ECtHR) and with good electoral practice.<sup>41</sup> The SEC has recommended in the past that the possibility of regulated third-party campaigning should be reinstated in the law.

*The ban on third-party campaign financing should be reviewed to balance between ensuring the freedom of expression while, at the same time, setting reasonable limits on third-party spending to prevent undue distortion of the campaign.*

By law, any support through in-kind contributions or gratuitous services must be valued at a market price and reported by the candidates within the spending limit. This applies also to the support by political parties, which fall into the category of third parties in presidential elections. Several ODIHR

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<sup>37</sup> See the MoI's campaign finance-related [information](#).

<sup>38</sup> Paragraph 249 of the [2020 ODIHR and VC Joint Guidelines on Political Party Regulation](#) state that "limits should be realistic, to ensure [...] an effective campaign [...]. It is best if limits are designed to account for inflation." According to the World Bank [data](#), between 2014 and 2022, inflation in Slovakia increased by 12 per cent. The SEC has recommended in the past to provide for the indexation of the spending limit.

<sup>39</sup> Based on candidates' campaign reports, total spending amounted to just EUR 1,338,529, compared to over EUR 3 million spent in 2019 by the candidates and 20 registered third parties, when each third party was entitled to a EUR 100,000 spending limit.

<sup>40</sup> Several prominent examples of third-party campaigning in favour of Mr. Pellegrini and against Mr. Korčok and the valuations of the related and other campaign costs, which were not attributed to campaign spending, gave grounds to reports that the spending limit might have been exceeded by both candidates in the second round. Transparency International [estimated](#) that the spending limit might have been exceeded by several thousand EUR in case of Mr. Korčok, while [evaluating](#) overspending by Mr. Pellegrini at some EUR 200,000.

<sup>41</sup> See Paragraph 256 of the [2020 ODIHR and VC Joint Guidelines on Political Party Regulation](#) which stipulates that the "[i]n general, third parties should be free to fundraise and express views on political issues as a means of free expression and public participation, and their activity should not be unconditionally prohibited. The involvement of third parties contributes to the expression of political pluralism and citizen involvement in political processes, thus a complete prohibition can be considered as an undue limitation of freedom of expression."



EET interlocutors pointed out that, in practice, candidates' campaigns and parties' activities were not clearly separated. Notably, most candidates who were also party leaders were provided with the organizational party support pro bono, without disclosing it as an in-kind donation, including premises, staff, communications, equipment, and transport.<sup>42</sup> Support by parties that were not formally affiliated with but endorsed some of the candidates was more subtle, mostly through public communications, but also included operational and volunteer help, which was assessed by several parties met as difficult to account for. Blurring of the line between party and candidate activities and the unaccounted-for support by parties are contrary to the law, detracting from the effectiveness of spending limits and the equality of campaign conditions for all contestants.

Expenditures by political parties on the concurrent European Parliament (EP) elections are to be paid from separate, dedicated, transparent accounts.<sup>43</sup> Despite this, in practice, it was left to the parties' diligence whether there was a clear distinction in the financing of the two campaigns. The MoI is mandated to investigate related complaints, if filed, but does not envisage any *ex officio* action and proactively crosscheck financial reports of the presidential and EP elections.

### C. DISCLOSURE AND OVERSIGHT

The law requires candidates to keep their campaign finances transparent through the use of special bank accounts, with all transaction information publicly accessible online in real-time.<sup>44</sup> However, some candidates made lumpsum payments to PR agencies conducting parts of their campaigns, which did not reveal the nature of services procured, thus detracting from transparency. Furthermore, in some cases, payments were debited from the transparent accounts with a delay, including after the elections were concluded, reportedly based on the negotiated invoicing schedules. By the end of the campaign, Mr. Pellegrini's expenditures amounted to only half of the spending limit. This level of spending was assessed by most of the ODIHR EET interlocutors as non-transparent and implausibly low based on campaign activities conducted and the estimated related costs, citing opaque financing from his party and considerable unattributed third-party spending promoting Mr. Pellegrini's candidacy.<sup>45</sup>

The MoI serves as the campaign finance oversight body, with authority to act on non-compliance, including through sanctions.<sup>46</sup> However, despite several allegations and complaints about irregularities in campaign financing, no corrective action was taken by the MoI during the campaign. Several ODIHR EET interlocutors described oversight as formalistic and overly lax. Based on media reports and information from civil society organizations that filed complaints regarding campaign and campaign finance irregularities, many of these complaints remained unresolved as of September 2024, five months after the election, with limited transparency and public information on the process.<sup>47</sup> The delayed action on complaints and the absence of proactive investigation of credible

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<sup>42</sup> Six of the eleven candidates were leaders of political parties. According to media [reports](#) and as directly verified by the ODIHR EET in one case, local Hlas-SD and Smer-SD representatives approached over 180 municipalities with requests to play a promotional spot of Mr. Pellegrini on municipal radio and public announcement systems before the first round. By law, municipalities are prohibited from contributing to campaigns.

<sup>43</sup> In the EP elections parties are allowed to use state funding for campaigning.

<sup>44</sup> One candidate, Igor Matovič, did not establish a transparent account stating he would not conduct any paid campaigning.

<sup>45</sup> For instance, Transparency International [assessed](#) the campaign of Ivan Korčok as the most transparent, followed by campaigns of Štefan Harabin and Krisztián Forró. Ján Kubiš and Andrej Danko ran campaigns with some transparency issues, while the campaign by Peter Pellegrini was assessed as non-transparent. Article 7(3) of the [UN Convention against Corruption](#) obliges State parties to take measures to improve transparency in campaign and party financing.

<sup>46</sup> Campaign finance violations entail fines ranging from EUR 2,000 to EUR 30,000 and, in cases of surpassing the spending limit, correspond to twice the amount by which the limit was exceeded.

<sup>47</sup> See DennikN [report](#) on post-electoral review of campaign and campaign-finance related complaints.

allegations detract from the effectiveness of campaign finance regulations and do not ensure timely redress.

Candidates are obliged to report on their campaign finances through reports published online and submitted to the MoI within 30 days of the election. However, the reporting template remains overly generic, requiring the submission of aggregate figures on various types of spending but no reporting on donations and on the details of in-kind contributions received.

*Provisions for campaign reporting by candidates should require the disclosure of information on financial donations received, including from political parties. To enable the verification of information in reports about in-kind contributions and gratuitous services received, candidates could be required to attach the itemized records about such contributions, including in-kind support provided by political parties, to financial reports.*

The law does not detail how the MoI should verify candidates' campaign finance reports and does not require it to publish conclusions on its oversight and enforcement activities. The MoI informed the ODIHR EET that the scrutiny is generally limited to reviewing compliance with the template and itemization requirements stated in the law and does not involve checks for omissions or consistency with other reports, including parties' annual financial reports.

*To strengthen oversight and to enhance transparency, the Ministry of Interior could be mandated by law to prepare and publish the conclusions on its monitoring and enforcement activities in connection with candidates' financial reports within a reasonable timeframe.*

The MoI's broad responsibility over campaign finance oversight, set by the campaign finance oversight rules, is contrary to good practice and past ODIHR recommendations. Some ODIHR EET interlocutors suggested that oversight is best vested with an independent body, not constrained in its enforcement action by any possible political considerations.<sup>48</sup>

*An independent body could be vested with campaign finance oversight responsibilities.*

## VIII. MEDIA

### A. MEDIA ENVIRONMENT

The media landscape is vibrant and pluralistic. Television is the primary source of political news, followed by online media, social networks, and radio. Public broadcaster Radio and Television of Slovakia (RTVS) and private stations *TV Markíza*, *TV JOJ*, and *TA3* enjoy relatively high levels of trust.<sup>49</sup> The media market is characterized by a significant concentration of ownership, with leading media outlets predominantly owned by entrepreneurs with a core business outside the media industry.<sup>50</sup> While income from state advertising is increasingly important, its distribution is not sufficiently regulated to include clear criteria and mechanisms, and consistent public information is

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<sup>48</sup> Currently, the Minister of Interior and the chairperson of the SEC, which is an appeal body for the MoI's campaign finance-related decisions, are nominees of the same political party. Article 14 of the CoE CM [Recommendation 2003\(4\)](#) stipulates that the “states should provide for independent monitoring in respect of the funding of political parties and electoral campaigns”.

<sup>49</sup> See the [2023 Reuters Institute Digital News Report](#).

<sup>50</sup> See the 2024 EUI Centre for Media Pluralism and Media Freedom [Monitoring Media Pluralism in the Digital Era - Slovakia country report](#).



lacking. The absence of guarantees of transparency and fairness in the distribution of state advertising increases the vulnerability of the media to political influence.<sup>51</sup>

*The allocation of state advertising should be transparent, non-discriminatory, and regulated based on clear and objective criteria.*

Following the 2023 parliamentary elections, the pressure on the RTVS has intensified. In December 2023, the government cut its funding by 30 per cent. This decision contradicts European regulations and good practice on ensuring the autonomy of public broadcasters through adequate financing and is not in line with previous ODIHR recommendations.<sup>52</sup>

In March 2024, the Minister of Culture presented a new Act on Slovak Television and Radio that raised concerns about the future independence of RTVS and sparked strong criticism, domestically and internationally.<sup>53</sup> The bill was rushed through an abridged inter-ministerial and public consultation procedure and enacted in June 2024 without the participation of the opposition. Under the new law, RTVS was renamed to STVR (Slovak Television and Radio), and the mandates of the director general appointed by the Parliament and of members of the existing RTVS Council have expired. The new nine-member STVR Council is to be appointed by the Ministry of Culture (four members) and the Parliament (five members), with the right to appoint and dismiss the director general. A new body, the Ethics Committee, will advise the STVR Council while overseeing the adherence to journalistic ethics by STVR. Some ODIHR EET interlocutors were concerned this body could start evaluating editorial work and interference in editorial policies, threatening its independence. While some elements of the original proposal have been retracted following public criticism, the new act is not in line with international standards safeguarding the independence of public service media.<sup>54</sup>

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<sup>51</sup> The 2015 Act on Public Procurement does not offer sufficient protection against preferential or biased distribution of state advertising. Article 25(1) of the newly adopted but applicable from 2025 [European Media Freedom Act](#) (EMFA) stipulates that “public funds or any other consideration or advantage made available, directly or indirectly, by public authorities or entities to media service providers or providers of online platforms for state advertising [...] shall be awarded in accordance with transparent, objective, proportionate and non-discriminatory criteria, made publicly available in advance by electronic and user-friendly means, and by means of open, proportionate and non-discriminatory procedures.”

<sup>52</sup> Article 5(3) of [EMFA](#) emphasizes that the “Member States shall ensure that funding procedures for public service media providers are based on transparent and objective criteria laid down in advance. Those funding procedures shall guarantee that public service media providers have adequate, sustainable, and predictable financial resources”. Article 20 of the European Parliament’s 2021 [Resolution on Europe’s Media in the Digital Decade](#) calls for “stable, open, transparent, sustainable and adequate funding for public service media on a multi-annual basis in order to guarantee their independence from governmental, political and market pressures and thus ensure the diverse European media landscape.” Article 26 of the Council of Europe [Recommendation CM/Rec \(2012\)1 on public service media governance](#) states that the public media’s funding model “cannot be used to exert editorial influence or threaten institutional autonomy”.

<sup>53</sup> More than 1,200 RTVS employees and contributors endorsed a [petition](#) demanding the retraction of the proposed law. Approximately 68,000 individuals signed a [public petition](#) supporting RTVS. International press freedom organizations issued a [collective call](#) for an immediate intervention by the EU. The European Commission’s Vice President expressed [concerns](#) regarding the unfolding events.

<sup>54</sup> Article 5(2) of [EMFA](#) calls on EU Members States to “ensure that the procedures for the appointment and the dismissal of the head of management or the members of the management board of public service media providers aim to guarantee the independence [...] Decisions on dismissal of the head of management or the members of the management board of public service media providers before the end of their term of office shall be duly justified, may be taken only exceptionally where they no longer fulfil the conditions required for the performance of their duties according to criteria laid down in advance [...], shall be subject to prior notification [...] and include the possibility of judicial review.”

*To protect the public broadcaster from political influence, adequate safeguards should be introduced in law and in practice to guarantee its editorial independence, financial sustainability, and the appointment of professional, politically unaffiliated management and oversight bodies.*

In the policy statement released on 13 November 2023, the government pledged to create a level playing field for all media.<sup>55</sup> Soon after, the Prime Minister labelled four major outlets them as hostile media and announced he would stop all communication with them.<sup>56</sup> Reports of political pressure exerted on *TV Markíza*, one of the country's key media players, raised particular concerns.<sup>57</sup>

Frequent attacks on media and the intimidation of journalists in recent years, often originating from the top political figures, pose a significant risk to media pluralism.<sup>58</sup> Furthermore, the Investigative Center of Ján Kuciak (ICJK) recorded 21 reports of attacks on women journalists in 2023 and 9 attacks in the first three months of 2024.<sup>59</sup> The intimidation of women journalists contributes to the silencing of women's voices in public debate.<sup>60</sup>

*Authorities should swiftly investigate threats, including online, against journalists. Political actors should refrain from the use of derogatory or aggressive language targeting journalists, which may encourage such attacks.*

The ODIHR EET interlocutors noted that disinformation is widespread and has a clear impact on voters' attitudes on important issues such as the war in Ukraine or the general role of the EU.<sup>61</sup> Efforts by the state to combat the spread of disinformation have faced setbacks due to personnel reshuffles within the strategic communication departments of the Government Office and various ministries and the cancellation of a governmental grant scheme to support media literacy and combat disinformation.

## **B. LEGAL AND REGULATORY FRAMEWORK**

The legal framework for media coverage of the elections provides a level playing field for all contestants. The freedom of expression and right to information are enshrined in the Constitution. Contrary to international obligations and standards, defamation remains a criminal offence.<sup>62</sup> While recent years have not seen journalists convicted on charges of defamation, politicians frequently

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<sup>55</sup> See the [Policy Statement of the Government of the Slovak Republic 2023](#), page 12.

<sup>56</sup> *TV Markíza, SME, Denník N, and Aktuality.sk.*

<sup>57</sup> The Prime Minister's criticism of the channel's news coverage was followed by changes in leadership positions within the media. Furthermore, in February 2024, news staff accused the station of pursuing a softer line in government coverage and, in a letter [published by SME](#), listed examples of new management's interference in the portrayal of government officials. Shortly after the presidential election, the ruling coalition parties decided to boycott the leading political show at *TV Markíza*.

<sup>58</sup> See the 2023 EUI Centre for Media Pluralism and Media Freedom [Monitoring Media Pluralism in the Digital Era – Country Report: Slovakia](#).

<sup>59</sup> See the 2024 [ICJK report](#) on attacks on journalists before the presidential election.

<sup>60</sup> In February 2024, high-ranking Smer-SD politicians launched a smear campaign against a journalist, Zuzana Kovačič Hanzelová. Following discrediting verbal attacks, cyberbullying, and a physical assault on the street, Ms. Hanzelová announced temporary withdrawal from moderating political debates. In April 2024, Jana Krescanko Dibáková, a long-term host of political discussions, left *TV JOJ* after being harassed online by coalition politicians who were also boycotting her show.

<sup>61</sup> See [Globsec Trends 2023](#) and the [Central European Digital Media Observatory](#) reports.

<sup>62</sup> Paragraph 47 of the [2011 General Comment 34 to the 1996 ICCPR](#) stipulates that the “States parties should consider the decriminalization of defamation and, in any case, the application of the criminal law should only be countenanced in the most serious of cases and imprisonment is never an appropriate penalty.” See also the Council of Europe Parliamentary Assembly [Resolution 1577 \(2007\) Towards decriminalization of defamation](#) and its [Recommendation 1814 \(2007\)](#), and the [2003 OSCE Bishkek Declaration](#).

employ such accusations as a means to counter criticism.<sup>63</sup> The absence of anti-SLAPP (strategic lawsuits against public participation) laws further exposes journalists to potential legal challenges.<sup>64</sup>

*As previously recommended, defamation should be decriminalized, in line with international obligations on freedom of expression.*

The Media Services Act and the Act on Publications adopted in 2022 strengthened the protection of journalists and adapted the legislation to the digital media ecosystem. The Council for Media Services (CMS) is the regulatory body with the authority to issue licenses to broadcasters, oversee impartiality, objectivity, and balance in programming, and sanction breaches of these principles. Within the digital domain, the CMS is vested with the responsibility to track and prevent the distribution of harmful and illegal content. Its monitoring of several social networks focused on potential breaches of the platforms' commitments under the EU's Code of Practice on Disinformation and compliance with obligations under the Digital Services Act (DSA), which requires social media platforms to tackle disinformation, hate speech, and to promptly remove illegal content.<sup>65</sup> The CMS also serves as a contact point for other government authorities carrying out monitoring of social networks based on their competences. According to ODIHR EET interlocutors, the CMS has developed expertise and established effective co-operation with the social networks to address problematic content identified.

Hate speech is a criminal offence as laid down in the Criminal Code. However, attempts undertaken in recent years to strengthen legal and procedural mechanisms for combatting hate speech, extremism, and deceptive content in media have not achieved the desired results, impacting the overall effectiveness of the authorities' response.<sup>66</sup> Inflammatory rhetoric is used by some politicians, targeting, in particular, sexual minorities and women.<sup>67</sup> The CMS has a proactive approach to tackling hate speech online, but to effectively stop its proliferation, many ODIHR EET interlocutors noted that the social network platforms must react more vigorously to user complaints in general.<sup>68</sup>

### C. MEDIA COVERAGE OF THE ELECTION CAMPAIGN

Public and private media extensively covered the campaign in regular news and programmes and held a number of debates, giving voters an adequate chance to make an informed choice and providing candidates with the possibility to introduce their programmes.<sup>69</sup> Some candidates expressed dissatisfaction with what they perceived as an unfair separation by private media of

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<sup>63</sup> In March 2023, Smer-SD party filed three criminal defamation lawsuits against journalists and political commentators in connection with commentary and opinion pieces they had written for *DennikN* and *SME*.

<sup>64</sup> See also the November 2023 European Parliament's Committee on Civil Liberties, Justice and Home Affairs [study on SLAPP cases in Slovakia](#).

<sup>65</sup> The CMS can initiate administrative proceedings *ex officio* or in case of complaints. Amendments to the Media Services Act to fully harmonize it with the DSA are pending adoption. The related [legislative proposal](#) foresees the designation of the CMS as the coordinator of digital services under the DSA.

<sup>66</sup> Related provisions of the Act on Cyber Security were to be amended in 2022 and 2023 but did not pass the parliamentary legislative process. See the 2023 EU Disinfo Lab analysis [Disinformation Landscape in Slovakia](#) and the Centre for Media Pluralism and Media Freedom [Monitoring Media Pluralism in the Digital Era - Slovakia country report](#).

<sup>67</sup> See the 2023 ILGA Europe [Annual Review](#) of human rights of LGBTIQI people in Slovakia.

<sup>68</sup> See the 2023 CMS [analysis](#) of the prevalence of harmful or potentially illegal content on digital platforms (Facebook, Instagram, YouTube, and TikTok). According to it, platforms acted on only 12 out of 253 cases of content featuring hate speech, online harassment, or violent extremism flagged to them through user reporting mechanisms. In contrast, when notified of 26 instances of potentially illegal content by the CMS, the platforms reacted swiftly and removed all the content reported by the national regulatory authority.

<sup>69</sup> The Act on Campaigning guarantees each candidate one hour of free airtime in public TV and radio. RTVS also allocated up to 10 hours for election-related programmes on both TV and radio, including debates. Private broadcasters could allocate up to 30 minutes of paid time to each candidate, up to a total of 10 hours.

candidates into different debates and timeslots based on public opinion ratings. They also assessed both public and private media are less inclusive of different political positions outside an election period. Despite the growing importance of campaigns in social networks, according to surveys, TV and radio debates remain important for voters' decision-making.<sup>70</sup> Still, several candidates did not accept the media's invitations to some debates for various reasons that included claims of conflicting schedules, their relationship with certain media outlets, their strategy related to debate appearances, or due to the refusal of other candidates. The two frontrunners, Mr. Pellegrini and Mr. Korčok, met in a debate for the first time just a few days before the first round.

*TV Markíza* and RTVS devoted a significant amount of airtime to the election campaign. The media monitoring conducted by a civil society organization showed that Mr. Pellegrini was a slightly more presented candidate on all TV channels as well as on news websites and online versions of print media than Ivan Korčok, while the other candidates competing in the first round were less presented.<sup>71</sup> Several interlocutors informed the ODIHR EET that there were some problematic narratives circulated in certain online media known for frequently posting disinformation and on social networks, mostly presenting manipulative claims about Mr. Korčok's proclivity to having Slovakia involved in the war in Ukraine and about threats to Slovakia's sovereignty.

Throughout the campaign period, the CMS monitored election-related coverage by TV and radio broadcasters. In total, 13 related complaints were lodged, of which two had been the subject of administrative proceedings. The CMS informed the ODIHR EET that all complaints were dealt with within the legal timeframes. Facebook, Instagram, YouTube and TikTok were also monitored by the CMS for transparency of political advertisements, information available to users in the platforms' ad libraries, and measures increasing the users' awareness of the electoral processes. No complaints regarding the coverage of the elections on social networks were received before the elections.

## X. RECOMMENDATIONS

These recommendations, as contained throughout the text, are offered with a view to further enhance the conduct of elections in the Slovak Republic and to support efforts to bring them fully in line with OSCE commitments and other international obligations and standards for democratic elections. These recommendations should be read in conjunction with past ODIHR recommendations that remain to be addressed.<sup>72</sup> The legislative reforms should be undertaken well in advance of elections and through an inclusive consultation, including with civil society. ODIHR stands ready to assist the authorities of the Slovak Republic to further improve the electoral process and to address recommendations contained in this and previous reports.

1. To enhance women's participation in public life, authorities should address gender stereotypes through comprehensive legal, institutional, and educational measures. Political parties and

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<sup>70</sup> [Survey](#) data indicated that 80 per cent of citizens wanted to see the presidential candidates in a joint debate and 60 per cent of the respondents stated that pre-election debates help them decide who to vote for.

<sup>71</sup> See [MEMO 98 media monitoring report](#) which notes that the coverage of Mr. Pellegrini in traditional media was rather critical and positive in controversial media and that Mr. Korčok was the most represented in tabloid and disinformation media, mostly portrayed negatively by the latter, while his coverage in other media was mostly neutral.

<sup>72</sup> In paragraph 25 of the [1999 OSCE Istanbul Document](#), all OSCE participating States committed themselves “to follow up promptly the ODIHR’s election assessment and recommendations”. The follow-up of prior recommendations from the [Final Report on the 2019 presidential election](#) is assessed by the ODIHR EAM as follows: recommendations 16 was implemented fully and recommendations 8, 15, 19 and 20 were implemented partially. To date, recommendations 8, 12 from the [Final Report on the 2020 parliamentary elections](#) was fully implemented, and recommendations 1, 7, 18 and 21 were partially implemented.

- other stakeholders should identify and curb gender-based discriminatory rhetoric and actions that lead to the negative portrayal of women and affect their equal participation.
2. To harmonize the legal framework and to ensure impartiality, the State Election Commission should be entrusted with the registration of presidential candidates. The law should prescribe procedures for the review of submitted applications and the approval of candidacies.
  3. The deadline for the withdrawal of candidates should be reviewed to allow sufficient time for reflecting the changes on printed ballots. Voter information and communication about the withdrawals should be improved to support voters' ability to cast valid and fully informed votes.
  4. The law should provide for a clear separation between official functions and campaigning to prevent candidates and public officials from using the advantage of office for electoral purposes. As previously recommended, provisions to ban the use of public resources for campaign purposes should be considered. This could include a prohibition on initiating social welfare programmes through public funds during the official campaign periods.
  5. Campaign-related violations should be promptly addressed, including through timely remedial action and the imposition of proportionate and dissuasive sanctions.
  6. Relevant authorities should develop, in co-operation with Roma organizations, long-term civic education and election awareness programmes to encourage meaningful and informed electoral participation by Roma voters.
  7. To further enhance transparency and accountability, the law should comprehensively regulate the use of loans by presidential candidates.
  8. In line with good practice, the spending limits could be based on a form of indexation or regularly reviewed to account for inflation.
  9. The ban on third-party campaign financing should be reviewed to balance between ensuring the freedom of expression while, at the same time, setting reasonable limits on third-party spending to prevent undue distortion of the campaign.
  10. Provisions for campaign reporting by candidates should require the disclosure of information on financial donations received, including from political parties. To enable the verification of information in reports about in-kind contributions and gratuitous services received, candidates could be required to attach the itemized records about such contributions, including in-kind support provided by political parties, to financial reports.
  11. To strengthen oversight and to enhance transparency, the Ministry of Interior could be mandated by law to prepare and publish the conclusions on its monitoring and enforcement activities in connection with candidates' financial reports within a reasonable timeframe.
  12. An independent body could be vested with campaign finance oversight responsibilities.
  13. The allocation of state advertising should be transparent, non-discriminatory, and regulated based on clear and objective criteria.
  14. To protect the public broadcaster from political influence, adequate safeguards should be introduced in law and in practice to guarantee its editorial independence, financial

sustainability, and the appointment of professional, politically unaffiliated management and oversight bodies.

15. Authorities should swiftly investigate threats, including online, against journalists. Political actors should refrain from the use of derogatory or aggressive language targeting journalists, which may encourage such attacks.
16. As previously recommended, defamation should be decriminalized, in line with international obligations on freedom of expression.



## XI. ANNEX: FINAL RESULTS<sup>73</sup>

### 1<sup>ST</sup> ROUND

Candidate	Percentage of valid votes cast	Valid votes cast
Ivan Korčok	42.51	958,393
Peter Pellegrini	37.02	834,718
Štefan Harabin	11.73	264,579
Krisztián Forró	2.90	65,588
Igor Matovič	2.18	49,201
Ján Kubiš	2.03	45,957
Patrik Dubovský	0.71	16,107
Marian Kotleba	0.56	12,771
Milan Náhlik	0.13	3,111
Andrej Danko <i>[withdrawn]</i>	0.08	1,905
Róbert Švec <i>[withdrawn]</i>	0.08	1,876
<b>Data regarding the voting process</b>		
Number of voters included in the voter list		4,364,071
Number of voters who received ballots		2,265,656
Number of voters that participated in the election		2,265,656
Percentage of participation / turnout		51.91
Number of invalid ballots		10,563
Number of total valid votes		2,254,206

### 2<sup>ND</sup> ROUND

Candidate	Percentage of valid votes cast	Valid votes cast
Peter Pellegrini	53.12	1,409,255
Ivan Korčok	46.87	1,243,709
<b>Data regarding the voting process</b>		
Number of voters included in the voter list		4,368,697
Number of voters who received ballots		2,671,279
Number of voters that participated in the election		2,671,279
Percentage of participation / turnout		61.14
Number of invalid ballots		17,233
Number of total valid votes		2,652,964

<sup>73</sup> Data according to the [final results](#) published by the SO.

## ABOUT ODIHR

The Office for Democratic Institutions and Human Rights (ODIHR) is the OSCE's principal institution to assist participating States "to ensure full respect for human rights and fundamental freedoms, to abide by the rule of law, to promote principles of democracy and (...) to build, strengthen and protect democratic institutions, as well as promote tolerance throughout society" (1992 Helsinki Summit Document). This is referred to as the OSCE human dimension.

ODIHR, based in Warsaw (Poland) was created as the Office for Free Elections at the 1990 Paris Summit and started operating in May 1991. One year later, the name of the Office was changed to reflect an expanded mandate to include human rights and democratization. Today it employs over 150 staff.

ODIHR is the lead agency in Europe in the field of **election observation**. Every year, it coordinates and organizes the deployment of thousands of observers to assess whether elections in the OSCE region are conducted in line with OSCE commitments, other international obligations and standards for democratic elections and with national legislation. Its unique methodology provides an in-depth insight into the electoral process in its entirety. Through assistance projects, ODIHR helps participating States to improve their electoral framework.

The Office's **democratization** activities include: rule of law, legislative support, democratic governance, migration and freedom of movement, and gender equality. ODIHR implements a number of targeted assistance programmes annually, seeking to develop democratic structures.

ODIHR also assists participating States' in fulfilling their obligations to promote and protect **human rights** and fundamental freedoms consistent with OSCE human dimension commitments. This is achieved by working with a variety of partners to foster collaboration, build capacity and provide expertise in thematic areas including human rights in the fight against terrorism, enhancing the human rights protection of trafficked persons, human rights education and training, human rights monitoring and reporting, and women's human rights and security.

Within the field of **tolerance** and **non-discrimination**, ODIHR provides support to the participating States in strengthening their response to hate crimes and incidents of racism, xenophobia, anti-Semitism, and other forms of intolerance. ODIHR's activities related to tolerance and non-discrimination are focused on the following areas: legislation; law enforcement training; monitoring, reporting on, and following up on responses to hate-motivated crimes and incidents; as well as educational activities to promote tolerance, respect, and mutual understanding.

ODIHR provides advice to participating States on their policies on **Roma and Sinti**. It promotes capacity-building and networking among Roma and Sinti communities, and encourages the participation of Roma and Sinti representatives in policy-making bodies.

All ODIHR activities are carried out in close co-ordination and cooperation with OSCE participating States, OSCE institutions and field operations, as well as with other international organizations.

More information is available on the ODIHR [website](#).